THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.23249 OF 2005

DATED:28.10.2005

Between:

D. Chandraiah

…Petitioner

And

Govt. of A.P., rep. by its

Principal Secretary, Revenue Department,

Secretariat, Hyderabad and others

…Respondents

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ORDER:

The petitioner is a resident of Malkaram Village, Shamirpet Mandal, Ranga Reddy District. He alleges that his father Dasari Lakshmaiah was in possession of agricultural dry and wet land admeasuring Acs.7.20 gts. in S.Nos.58, 61 and 70 of Malkaram Village. After death of his father in April 1983, petitioner and his brothers succeeded to the property. He further alleged that sixth respondent is trying to interfere with the possession of the land for the purpose of laying road without initiating proceedings under Land Acquisition Act, 1984. He, therefore, seeks a direction to the respondents not to interfere with the petitioner's possession.

At the time of admission itself, learned Assistant Government Pleader obtained

instructions and submits that the land in S.Nos.52, 55, 59, and 716 of Malkaram Village is recorded in the revenue records as Khareej Khata (Government land) and that as on today the land was not assigned to anybody. It is also pointed out by the learned Assistant Government Pleader as well as the learned Standing Counsel for Hyderabad Urban Development Authority, Sri B.Viswanatha Reddy, the petitioner has not placed before this Court any evidence of his possession and ownership. Therefore, the relief as prayed cannot be granted in this Writ Petition. It is however open to the petitioner to approach the Mandal Revenue Officer and place all the necessary material, including patta, if any, granted to late Lakshmaiah, in proof of possession.

The Writ Petition with the above observations is accordingly dismissed.

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(V.V.S.RAO, J)

28.10.2005

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